REMARKS

Claims 1-3, 6, 12 18-20, 24-27, 58-61 and 69-84 are pending in the Application.

Claims 1-3, 6, 12, 18-20, 24-27, 58-61 and 69-84 stand rejected.

Applicants greatly appreciate the Examiner discussing the final rejection with Applicants' attorney on October 11, 2004. In that discussion, the Examiner requested that Applicants present their response to Paper No. 14 in writing.

I. PREMATURE FINAL REJECTION

Applicants respectfully assert that the October 5, 2004 final rejection is premature. "Second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection that is [] necessitated by Applicants' amendment of the claims. MPEP § 706.07(a). In the final rejection, the Examiner has issued a new rejection on the merits in paragraph 2, page 3, where Claim 71 is rejected under 35 U.S.C. § 112, first paragraph. Specifically, the Examiner has asserted that the phrase "the plurality of telecommunications devices connected to the system as telephone extensions accessible solely through the switching circuitry" is not disclosed by the Specification. However, a careful reading of the amendments made to Claim 71 by Applicants shows that this phrase was not newly added to Claim 71, but merely moved within the Claim. This phrase was moved to now reside subsequent to the "switching circuitry" limitation in order to correct an antecedent basis problem the Examiner had pointed out in Paper No. 14. Since this phrase was previously presented in Claim 71, and because the mere move of this phrase did not necessitate this new § 112, first paragraph rejection, this is a new rejection and Applicants are entitled to an opportunity to respond to this new rejection. Since this rejection is based solely on the wording within this phrase, and is not based on the location of this phrase within Claim 71, the Examiner should have brought such a § 112 rejection in the previous Office Actions. Therefore, the finality of the Office Action should be withdrawn as being premature.

II. DRAWINGS

Applicants submit an amended Figure 14 with a label for Item 1402, in a manner as discussed with the Examiner over the telephone on October 11, 2004.

III. REJECTIONS UNDER 35 U.S.C. § 112

Claim 71 stands rejected under 35 U.S.C. § 112, first paragraph. Specifically, the Examiner asserts that the phrase "the plurality of telecommunications devices connected to the system as telephone extensions accessible solely through the switching circuitry" is not disclosed by the Specification. The Examiner goes on to further assert that since the Specification discloses a DSP for call signal processing but the DSP does not perform a switching function, then call signals must be processed by the DSP to reach the extensions, and therefore the extensions are not accessible solely through the switching circuitry. Applicants respectfully traverse these assertions by the Examiner.

For a claim limitation to be supported by the Specification, one must be able to read that claim limitation onto the Specification. Since the Specification and the drawings clearly show that the telephone extensions are connected to the system solely through the switching circuitry, this claim limitation is fully supported. Note that the telephone extensions are not part of the telephone call and voice processing system. The telephone extensions are connected to the telephone call and voice processing system by only one means, and that is the switching circuitry. Thus, the rest of the telephone call and voice processing system must go through the switching circuitry to be able to access the telephone extensions. The DSP is part of the system. How does the DSP access the telephone extensions? Solely through the switching circuitry. The same with every other portion of the system. The Claims do not recite that the telephone extensions are accessible by something other than the system solely through the switching circuitry. Instead, the Claim phrase merely recites that these telecommunications devices, i.e., telephone extensions, are connected to the system solely through the switching circuitry. One skilled in the art would easily be able to make and use the present invention as recited within Claim 71 through the use of the Specification.

IV. REJECTIONS UNDER 35 U.S.C. 102(e)

Claims 1-3, 12, 18-20, 24-27 and 70-73 and 84 stand rejected under 35 U.S.C. 102(e) as being anticipated by *Heidari*. In response, Applicants respectfully traverse these rejections. Applicants' traversals in their previous amendment are hereby incorporated by reference.

Claims 1, 12, and 27 had all been previously amended to recite "wherein two or more of the plurality of telecommunications devices each further comprises both a speaker and a microphone for enabling a user to audibly communicate with the call." Applicants do not believe the Examiner has correctly interpreted this claim limitation, since the Examiner continues to reject these claims based on *Heidari*, and specifically the Examiner asserts that the two or more telecommunications devices are disclosed in *Heidari* as the speaker and the microphone. However, the Examiner should note that these claim limitations recite that each of the two or more telecommunications devices comprises both a speaker and a microphone. Logically, it would be impossible for the speaker disclosed in *Heidari* to comprise both a speaker and a microphone. Additionally, it would be logically impossible for the microphone in *Heidari* to comprise both a speaker and a microphone. Therefore, it is impossible for *Heidari* to anticipate these claims.

Regarding the claims that recite a "digital crosspoint matrix," the Examiner is making an unreasonably broad interpretation of this term in asserting that Items 60, 64, 66, and 68 within Fig. 1 of *Heidari* teach such circuitry. The Examiner is respectfully requested to refer to page 142 of *Introduction to Telephones and Telephone Systems*, by A. Michael Noll, Third Edition. Figure 6.12 clearly differentiates between a rotary switch (a), an on-off switch (b), and a matrix switch (c). Switches 60 and 64 in *Heidari* are on-off switches, while switches 66 and 68 are rotary switches. As page 142 of the reference clearly shows, these are different than matrix switches (c), and one skilled in the art would understand such a difference.

With respect to Claim 20, the Examiner has not addressed Applicants' traversals. The Examiners' rejection is identical to the one given in the previous Office Action. Applicants specifically traversed such a rejection, but the Examiner has not addressed Applicants' traversal at all. This is impermissible under MPEP § 707.07(f).

With respect to Claim 71, as noted above, the language in Claim 71 was merely moved, not newly added. Therefore, Applicants were entirely correct in asserting that the Examiner had failed to address these claim limitations in the previous Office Action. The Examiner has now merely referred to all of Fig. 1 in *Heidari* as showing that *Heidari* teaches "the plurality of telecommunications devices connected to the system as telephone extensions accessible solely through the switching circuitry." This is an insufficient rejection, since it does not point out where such plurality of telecommunications devices connected as telephone extensions solely through the switching circuitry is shown in Fig. 1. There are no plurality of telephone extensions shown in Fig. 1.

With respect to Claim 72, the Examiner has stated that he does not understand Applicants' previous argument. The Examiner has asserted on page 6 of the final rejection that all of the rejections as stated in Claims 1 and 18 previously supplied apply to the rejection of Claim 72. Under such a rationale, for the Examiner's Section 103 rejection of Claim 72 to be valid, it would mean that all of the claim limitations recited in Claim 72 already existed in Claims 1 and 18, and thus the rejection of those Claims by the Examiner would apply. The problem with such an assertion by the Examiner is that there is a limitation within Claim 72 not found within either of Claims 1 or 18. Claim 72 recites "circuitry for permitting a user of a telephone coupled to the system to monitor a voice mail message while the message is being recorded into the user's mailbox." Claims 1 and 18 do not recite this claim limitation. Therefore, the Examiner's rejections of Claims 1 and 18 cannot validly reject Claim 72, since the Examiner has not shown a *prima facie* case of anticipation in rejecting Claim 72.

With respect to Claim 73, the Examiner asserts that Applicants' argument has nothing to do with the claim limitation. This is incorrect. Claim 73 is dependent upon Claim 1. Claim 73 recites that the information recited in Claim 1 is detected DTMF tones. Therefore, reading Claims 1 and 73 together, they would recite that "the switching circuitry connects the call to one of a plurality of telecommunications devices coupled to the system in accordance with <u>detected DTMF tones</u> accompanying the call that identifies the telecommunications device . . ." In rejecting Claim 1, the Examiner has asserted that the telecommunications devices recited within the claims are represented by the

microphone 12, the speaker 14, the digital receive circuitry 44, or the analog receive circuitry 46. Applicants have previously asserted that *Heidari* does not teach or suggest that a received call is switched to any of these devices in accordance with DTMF tones. Therefore, Applicants' argument makes complete sense.

With respect to the § 103 rejections of Claims 6, 58-61, 69, 75-76, 79, and 81-82 as being unpatentable over *Heidari* in view of *Alfred,* all the Examiner has done is to respond that the modified system of *Heidari* in view of *Alfred* meets the claimed "switching circuitry connects incoming call to a telecommunications device (of *Heidari* from among a plurality of telecommunication devices extensions of *Alfred*), and that the telephone extensions taught by *Alfred* serve as calling parties and the telephone taught by *Heidari* serves as the called party." The problem with this response by the Examiner is that it does not address all of Applicants' traversals on pages 17 and 18 of their previous response. Again, the Examiner is respectfully requested to refer to MPEP § 707.07(f). The Examiner must respond to all traversals by Applicants.

With respect to Claim 83, Applicants have traversed the rejection asserting that the Examiner has provided no objective evidence for combining *Smith*, *Alfred*, and *Heidari*. In response to such a traversal, the Examiner is merely relying upon his arguments regarding Claim 1. The problem is that Claim 1 is solely rejected as being anticipated by *Heidari*. There are no arguments with respect to Claim 1 about how *Smith*, *Alfred*, and *Heidari* can be combined. Therefore, the Examiner's response to Applicants' traversal of the rejection of Claim 83 is inadequate.

With respect to Claim 84, the Examiner has merely bunched Claim 84 with the rejections of Claims 1 and 2 of page 4 of the final rejection. The Examiner has not in any way specifically addressed Claim 84. Claim 84 recites that each of the two or more of the plurality of telecommunications devices are separately operable telephone extensions. Items 12, 14, 44, and 46 in *Heidari* cannot in any way be separately operable telephone extensions.

For the reasons given above, and the traversals by Applicants in their previous amendment, all of the claims in the Application are allowable over the cited prior art.

V. CONCLUSION

As a result of the foregoing, it is asserted by Applicants that the remaining Claims in the Application are in condition for allowance, and respectfully request an early allowance of such Claims.

Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.
Attorneys for Applicant

By: _____
Kelly K. Kordzik
Reg. No. 36,571

P.O. Box 50784
Dallas, Texas 75201
(512) 370-2851

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IN THE DRAWINGS

Replace FIGURE 14 with the Redlined version thereof as attached.

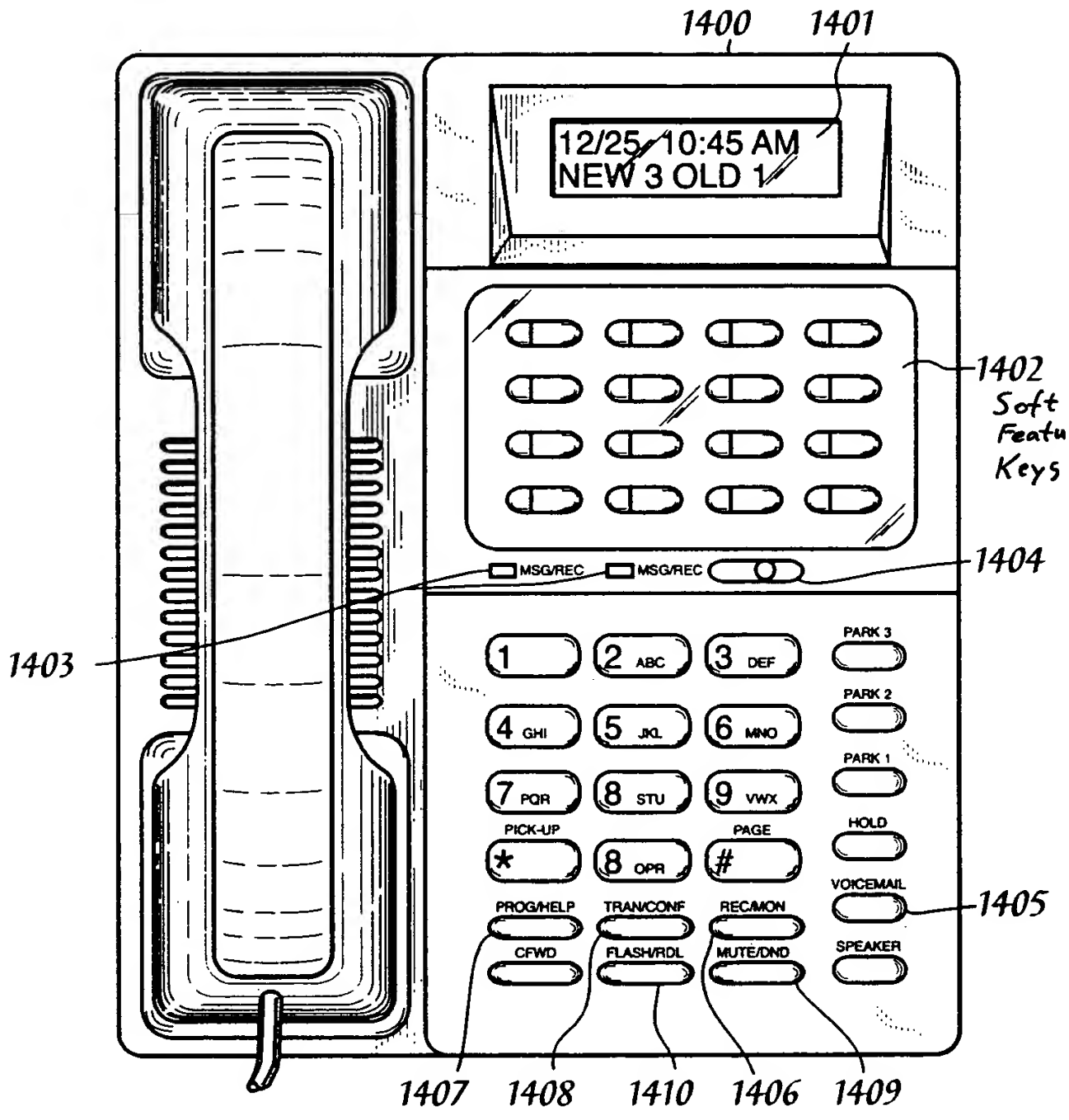
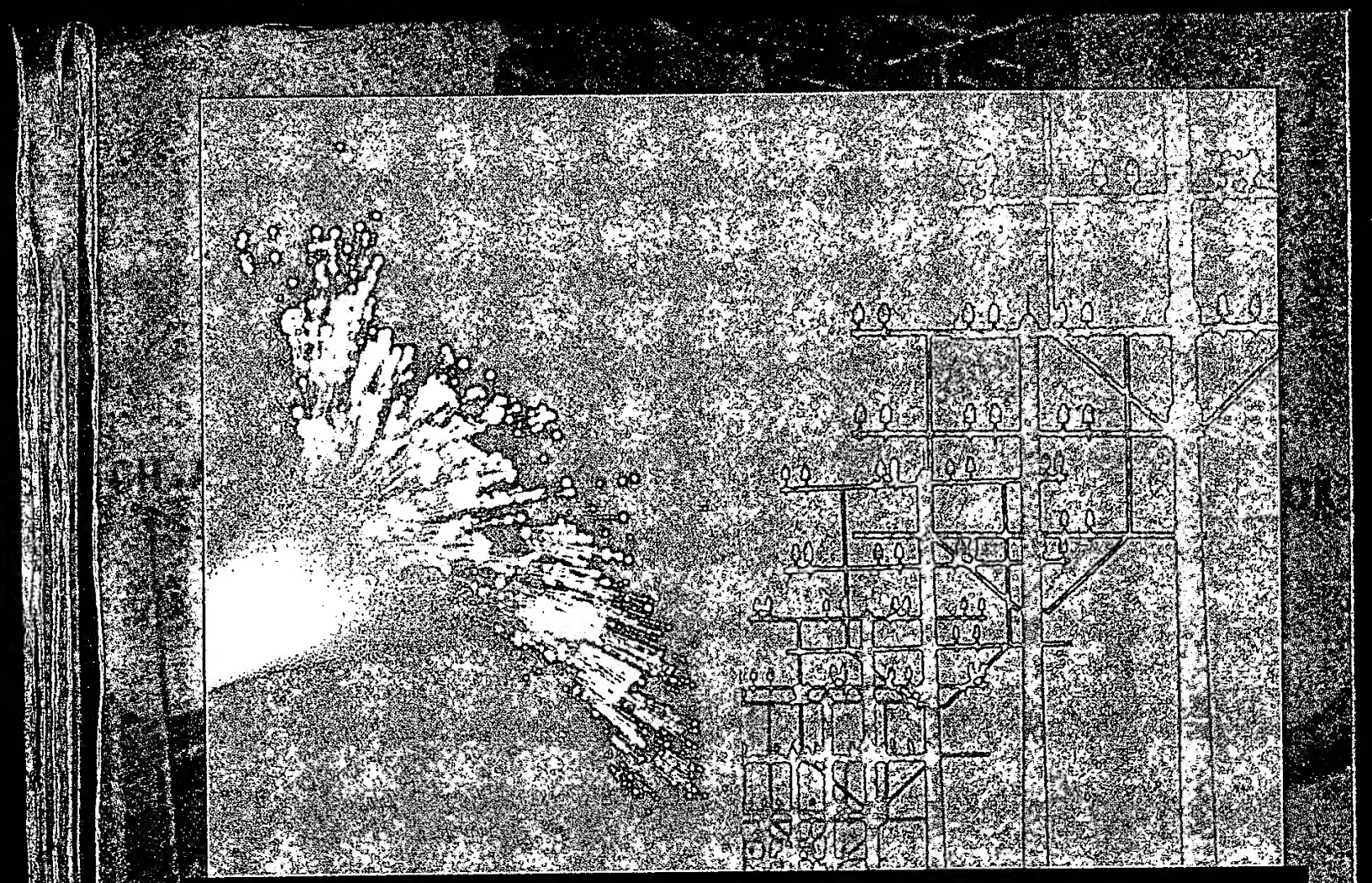
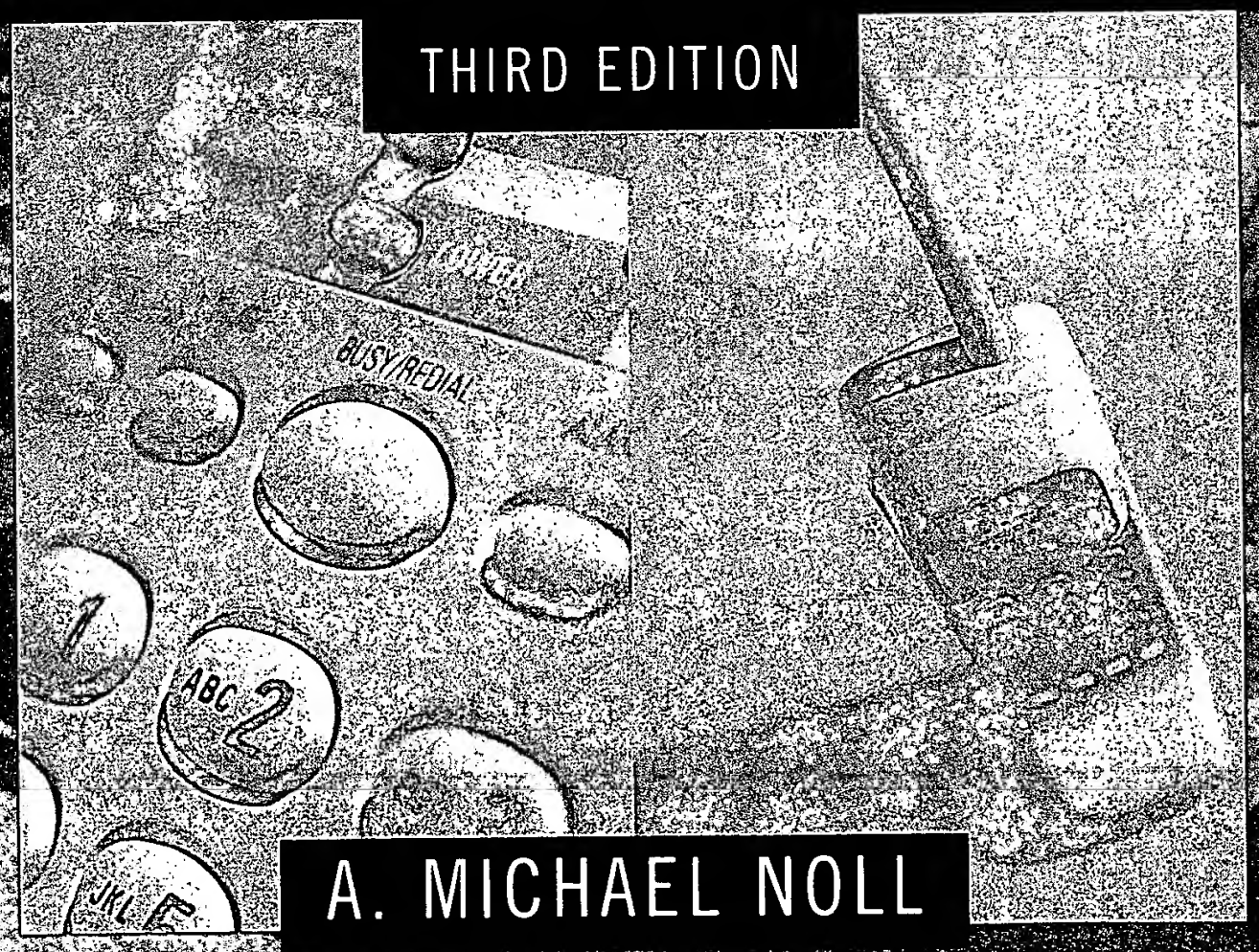


Fig. 14



INTRODUCTION TO TELEPHONES AND TELEPHONE SYSTEMS

THIRD EDITION



A. MICHAEL NOLL

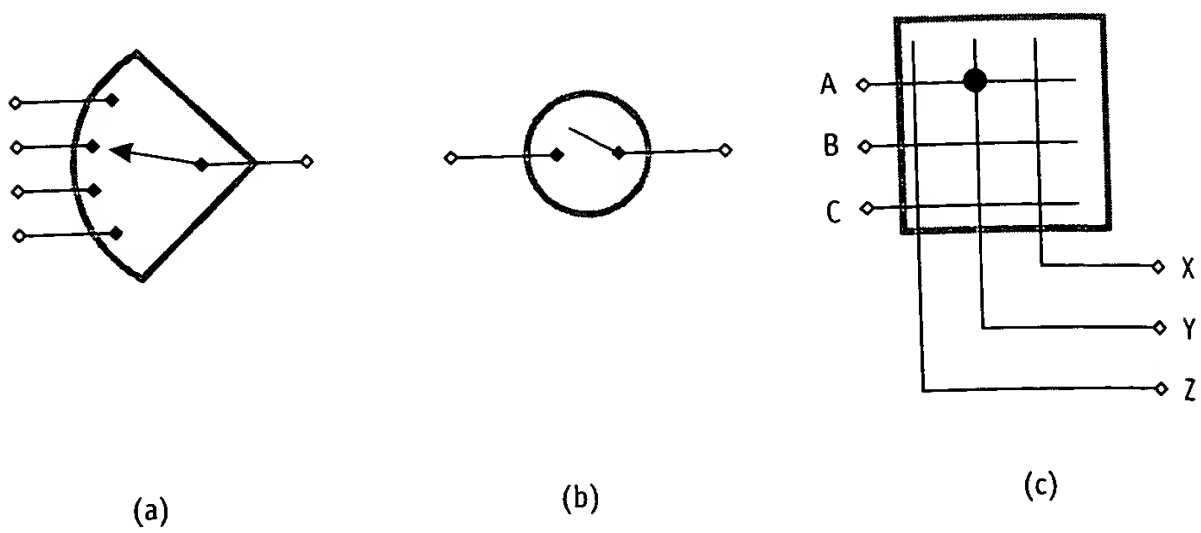


Figure 6.12 The basic types of switches used in space-division switching are (a) the rotary switch, (b) the on-off switch, and (c) the matrix switch.

is that electrical contacts must slide across each other, thereby subjecting them to considerable wear—and wear creates noise. Furthermore, the relatively large amount of mechanical motion means that a fair amount of time is needed to make an actual connection.

We are all familiar with the on-off switch that turns lamps on or off. In its electromechanical form, it consists only of two contacts and a means to complete or to open the circuit between them. Though simple, the electromechanical on-off switch is still subject to some wear, and though faster than a rotary switch, it is very slow in today's world of electronics. A transistor can be used as an on-off switch and offers the advantages of speed, low noise, and no wear.

On-off switches are used to create a basic coordinate, or matrix, switch. A matrix switch can connect many lines with many other lines. Connections are made with on-off switches at the crosspoints in a matrix of all input lines and all output lines. The electrical connection at each crosspoint can be made using a variety of electromechanical and electronic technologies, such as conventional contacts, small reed contacts sealed in glass, and diodes and transistors.

Switching stages

Normally, not everyone will want to converse with everyone else at the same time. Hence, a switching network does not need to be designed to

interconnect between all
lines can therefore be c
number of switching path
switching, as shown in F
accomplished in stages c
expansion.

A basic three-stage swi
in Figure 6.14. The electr
connect one line to any on
used in the switching netw
step-by-step system is exp

A basic three-stage swit
in Figure 6.15. The electrc
that can connect 10 inputs t
Bell Labs, is used in the swi
The crossbar system is exp

Many telephone calls a
office. To handle these cal
connected back on itself to
connections. The lines usec
trunks.

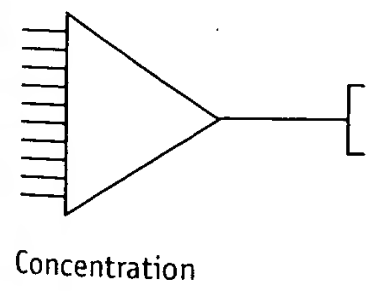


Figure 6.13 There are three
network. Many input lines are
serving lines. The ratio of the
than 1. These serving lines are
service to a large number of ou
lines to input serving lines is g